

DNREC issues Conciliation and Consent Secretary's Order, \$77,300 penalty to Perdue Foods for wastewater violations

DOVER – DNREC Secretary Shawn M. Garvin has issued a Conciliation Order By Consent to Perdue Foods for multiple violations of the company's National Pollutant Discharge Elimination System (NPDES) permit. The order totals an administrative penalty of \$77,300 and an associated \$7,601 assessment for expenses associated with the Department's investigation.

Perdue Foods operates a poultry processing facility in Georgetown and has a wastewater treatment plant onsite to treat the process and sanitary wastewater generated at the facility. Perdue Foods has a NPDES permit that places certain restrictions and limitations on the amount and concentration of various pollutants that may be discharged from the treatment plant to Savannah Ditch.

From May-July 2015, Perdue Foods exceeded the effluent limits found in their NPDES permit on several occasions. Violations included noncompliance with concentration and/or loading limits for ammonia, total nitrogen (a nutrient), and enterococcus bacteria. Effluent violations from the facility added excess volumes of pollutants in the form of nutrients and potentially harmful bacteria to the state's surface waters, and contributed to the impairment of the state's waterways.

Perdue took steps to enhance its treatment capability and

address the immediate issue of the nutrient-rich effluent, while also working to address the source of the issue. Action taken by the company helped limit the duration and extent of the upset. Perdue has not been in violation of these parameters since then.

To offset a portion of the penalty from DNREC, Perdue has chosen to perform an Environmental Improvement Project in conjunction with The Nature Conservancy, for which the company will convert 39 acres of farmland into forest. This will significantly reduce the loads of nitrogen and phosphorus pollutants going into the Broadkill River from the property to be converted.

The penalty order can be found on the DNREC website at http://www.dnrec.delaware.gov/Info/Pages/SecOrders_Enforcement.aspx.

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